

[EXTERNAL] You have signed court order.

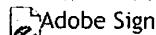
Adobe Sign <echosign@echosign.com>

Thu 8/16/2018 11:37 AM

To: Ruth Jakubowski <rjakubowski@baltimorecountymd.gov>;

0 1 attachments (316 KB)

court order - signed.pdf;



court order is signed and copies have been sent to all parties.

To: skilpatrick@baltimorecountymd.gov

You have signed court order.

A copy has been sent to skilpatrick@baltimorecountymd.gov. You can always find the document in your Adobe Sign account as well.

Why use Adobe Sign:

- Exchange, Sign, and File Any Document. In Seconds!
- Set-up Reminders. Instantly Share Copies with Others.
- See All of Your Documents, Anytime, Anywhere.

To ensure that you continue receiving our emails, please add echosign@echosign.com to your address book or safe list.

CONNECT WITH BALTIMORE COUNTY

www.baltimorecountymd.gov

IN THE MATTER OF AN APPLICATION FOR AN * IN THE
ORDER AUTHORIZING OBTAINING AND * CIRCUIT COURT
DISCLOSURE OF REAL TIME OR PRESENT * FOR
LOCATION INFORMATION WITHOUT * BALTIMORE COUNTY
GEOGRAPHIC LIMITATIONS TO INCLUDE * STATE OF MARYLAND
DISCLOSURE OF TELECOMMUNICATION *
RECORDS FOR THE ELECTRONIC DEVICE *
WITH THE NUMBER 443-943-5127 *

* * * * *

APPLICATION

Your Applicant Detective Trageser of the Baltimore County Police Department, hereby requests of this Court an Order, pursuant to §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code, relating specific and articulable facts according to Title 18 USC § 2703(d) authorizing the disclosure of real-time or present geographic location information/Global Position System Information, and/or Precision Location, E911 Location Based Services, including latitude and longitude, on cellular telephone number 443-943-5127, for a period of 30 days from implementation and disclosure, unless extended on a finding of continued probable cause; and directing T-Mobile, or any other Telecommunication service provider of said target number, to furnish the Agency when requested the following transactional records (Additional thirty (30) day extensions may be applied for separate from this Order and based on a continued finding of probable cause):

1. Any and all identifying information for telephone hardware including, but not limited to: IMEI, ESN, MEID, authorized account holders, subscriber information or information that identified the account, including the MIN, MSID, IMSI, ICCID, SIM and all services associated with the account, and any other subsequently assigned IMEI, IMSI, ESN, MEID, MSID, MIN, ICCID or SIM assigned to this subscriber, or any newly assigned dialed number and updated account information.
2. Call Detail Records with Cell Site Information to include Incoming Outgoing numbers dialed to and from mobile handset, including forwarding numbers and call durations, RTT with raw data, Reveal, PCMD (Per Call Measurement Data), SCAMP, NELOS

(Network Location Services), Mobile Locator, or True Call Data for a time period of 30 (Thirty) days prior to the issuance of the Order, and thirty (30) days after the issuance of the Order.

Your Applicant, Detective Trageser, of the Baltimore County Police Department, is a "Law enforcement officer" and, therefore pursuant to §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code, may apply for an order authorizing the disclosure and use of real-time or present location information from a service provider, and may also obtain location information from an electronic device. Your Applicant has attached an Affidavit in support of this Application which is incorporated herein.

To facilitate execution of this Order, your Applicant further requests that the Order direct that law enforcement may use investigative devices such as a cell site simulator capable of broadcasting signals that will be received by the Target Cellular Device 443-943-5127 or receiving signals from nearby cellular devices, including the Target Cellular Device 443-943-5127. Such a device may function in some respects like a cellular tower, except that it will not be connected to the cellular network and cannot be used by a cell phone to communicate with others. The device may send a signal to the Target Cellular Device 443-943-5127 and thereby prompt it to send signals that include the unique identifier of the device. Law enforcement may monitor the signals broadcast by the Target Cellular Device 443-943-5127 and use that information to determine the Target Cellular Device 443-943-5127's location, even if it is located inside a house, apartment, or other building.

Your Applicant further requests that the Order direct that the investigative devices such as a cell site simulator may interrupt cellular service of phones or other cellular devices within its immediate vicinity. Any service disruption to non-target devices will be brief and temporary, and all operations will attempt to limit the interference with such devices. In order to connect with the Target Cellular Device 443-943-5127, the device may briefly exchange signals with all phones or other cellular devices in its vicinity. These signals may include cell phone identifiers. The device will not complete a connection with cellular devices determined not to be the Target Cellular Device 443-943-5127, and law enforcement will limit collection of information from devices other than the Target Cellular Device 443-943-5127. To the extent that any information from a cellular device other than the Target Cellular Device 443-943-5127 is collected by the law enforcement device, law enforcement will delete that information, and law enforcement will make no investigative use of it absent further order of the court, other than distinguishing the

Target Cellular Device 443-943-5127 from all other cellular devices.

Your Applicant further requests that the Order direct the furnishing of information, facilities and technical assistance necessary to unobtrusively accomplish the disclosure of real time location information by T-Mobile, and any other necessary service provider, with reasonable compensation to be paid by the Agency for reasonable expenses incurred in providing such facilities and assistance.

Your Applicant further requests that this application, affidavit and the Court's Order be sealed by the Court and that notification to the subscriber, customer, user or owner be delayed for a period of thirty (30) days after the expiration of the Order or until such time as the Court directs otherwise; Such an order is justified because there is good cause to believe that notification to the subscriber, customer, user or owner who possesses the phone of the existence of this Order could jeopardize the use of information already obtained in this investigation; impair the continuation of this ongoing investigation; or jeopardize the safety of a source of information. Additionally, such a disclosure could give the subscriber, customer, user or involved person an opportunity to destroy evidence, notify confederates, or flee.

Your Applicant requests that T-Mobile, and any other Telecommunication reseller or any necessary service provider, and its agents and employees be ordered to refrain from notifying any person (including the subscriber, user or owner to which the materials relate) of the disclosure of location information, and of the existence of this Order and that the account be preserved during the course of the investigation under §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code and 18 USC § 2705 for the duration of this Order and for a period of thirty (30) days upon its expiration or as long as Notice under §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code subsection (d) is delayed . Such an order is justified because there is good cause to believe that notification to the subscriber, customer, user or owner who possesses the phone of the existence of this Order could jeopardize the use of information already obtained in this investigation; impair the continuation of this ongoing investigation; or jeopardize the safety of a source of information. Additionally, such a disclosure could give the subscriber, customer, user or involved person an opportunity to destroy evidence, notify confederates, or flee.

Affidavit in Support of Application: The following sets forth the basis for probable cause that a

crime has been, is being, or will be committed by the owner or user of the electronic device or by the individual about whom location information is being sought; and the location information being sought:

1. Is evidence of, or will lead to evidence of, the crime being investigated; or
2. Will lead to the apprehension of an individual for whom an arrest warrant has been previously issued.
3. The Order names or describes with REASONABLE PARTICULARITY
 - a. The user of the device if known, or the identifying number of the electronic device about which the location information is sought.
 - b. The owner, if known and if the owner is a person or an entity other than the user, of the electronic device.

During the year 2018, Detective Trageser initiated an investigation into Antwon Alexander Hall M/B 4/4/1988, and his involvement in the distribution of Cocaine a schedule II controlled dangerous substance, and Heroin a schedule I controlled dangerous substance. Through several different investigative measures, Detective Trageser confirmed that Antwon Hall is distributing Cocaine, and Heroin in Baltimore County. The investigation showed that Hall is operating a drug trafficking organization and is the source of supply, for numerous drug dealers (co-conspirators) who operate in Baltimore City and Baltimore County. Several of Hall's co-conspirators have been investigated for their involvement in fatal overdose's, and violent crimes. Antwon Hall is utilizing phone number 443-608-9793 to facilitate narcotics transactions.

Detective Trageser identified Antwon Hall's source of supply as Gary Charles Horton M/W 02/02/1985. Detective Trageser learned that Gary Horton is utilizing phone number 443-943-5127 to facilitate the trafficking/distribution of controlled dangerous substances.

On May 31, 2018, Detective Trageser obtained a Dialed Number Recorder/Pen Register for Antwon Hall's phone number 443-608-9793. Analysis of the Pen Register showed that Antwon Hall, continues to communicate with phone number **443-943-5127**. The Pen Register showed that a text message conversation occurred between Hall and phone number **443-943-5127** on June 19, 2018. Detective Trageser obtained a search and seizure warrant for the text messages from phone number **443-943-5127**. The date range for the text messages obtained from Antwon Hall (443-608-9793) was 06/17/2018 through 06/22/2018.

On 06/17/2018 and 06/18/2018 the following incoming text messages were sent to Antwon Hall (443-608-9793).

06/17/2018-

0117 hours- incoming message from 443-805-5317- Bro I'm running low need to get with you

1319 hours- incoming message from 443-635-1127- U good bro.

1551 hours- incoming message from 443-763-6055- Hey man are u expecting to be in good shape today?

2351 hours- incoming message from 443-207-7585- Hey are you available

06/18/2018-

1931 hours- incoming message from 410-395-4252- Lil cuz you got any joints

2017 hours- incoming message from 443-805-5317- A yo if u not straight just me give me da money back I need to grab up.

On 06/18/2018, and 06/19/2018 Antwon Hall sent the following text messages.

06/18/2018-

1554 hours- outgoing message to 410-689-5953- Im waitin now

2230 hours- outgoing message to 443-986-5035- In the morning

06/19/2018-

1624 hours- outgoing message to 410-419-27190- Hit my phone my peoples tryin to spend money wit u

2309 hours- outgoing message to 443-900-7517- Yo said first thing

Detective Trageser recognizes through his training, knowledge, and experience;

- The term "Joints" is commonly used by Hall and his co-conspirators when referring to quantities of Cocaine a schedule II controlled dangerous substance.
- The incoming messages received on 06/17/2018 and 06/18/2018, are indicative of Antwon Hall's co- conspirators asking Antwon if he had any Cocaine available. It should be noted that Antwon did not respond to any of these messages, which is

indication that he did not have any Cocaine available for sale at this time.

- The outgoing messages sent by Antwon Hall on 06/18/2018 which included "Im waitin now" and "In the morning" are indicative of Antwon letting his co-conspirators know he is waiting to "re-up" or obtain a quantity of narcotics from his source of supply.
- The message sent by Antwon Hall on 06/19/2018 which read "hit my phone my peoples tryin to spend money wit u", is indicative of Antwon attempting to direct his co-conspirators to an alternate source of supply, as Antwon Hall had no Cocaine available for sale.

The text messages sent and received by Antwon Hall from 06/17/2018 through 06/19/2018 show that he had no narcotics available for sale, and he was waiting to "re-up" from his source of supply.

On 06/19/2018 the following text message conversation occurred between Antwon Hall and phone number **443-943-5127**.

06/19/2018-

1712 hours- incoming text message from **443-943-5127** to Antwon Hall (443-608-9793)- "Can't hear you"

1713 hours- outgoing text message from Antwon Hall (443-608-9793) to **443-943-5127**- "Im a hit you around 7"

1713 hours- incoming text message from **443-943-5127** to Antwon Hall (443-608-9793)- "Already"

2001 hours- incoming text message from **443-943-5127** to Antwon Hall (443-608-9793)- "9"

2013 hours- outgoing text message from Antwon Hall (443-608-9793) to **443-943-5127**- "U can come to hazelwood"

2117 hours- incoming text message from **443-943-5127** to Antwon Hall (443-608-9793)- "Cedonia"

2123 hours- incoming text message from **443-943-5127** to Antwon Hall (443-608-9793)- "Ten min"

2128 hours- outgoing text message from Antwon Hall (443-608-9793) to **443-943-5127**- "Already"

Detective Trageser reviewed the range to tower data from the Pen Register for Antwon Hall's phone number 443-608-9793. The data showed that Antwon Hall was in the area of Cedonia Avenue at 2128 hours.

Detective Trageser recognizes through his training, knowledge, and experience;

- The text message conversation between Antwon Hall and phone number **443-943-5127**, is consistent with individuals arranging a narcotics transaction.
- The text message and the range to tower data show that a meeting occurred between Antwon Hall and the subject utilizing phone number **443-943-5127**.

On 06/20/2018 Detective Trageser received information from CI#6749 that Antwon Hall had obtained a quantity of Cocaine and was arranging several drug transactions to occur at 2 Eddystone Place 21221. This location is utilized as a "stash" location by Hall and his co-conspirators. Detective Coleman responded to the location and began surveillance. Detective Coleman observed Antwon Hall engage in several suspected drug transactions in front of 2 Eddystone Place.

The following text message conversation occurred between Antwon Hall and phone number 443-814-6601 on 06/20/2018.

1432 hours- Outgoing text message from Antwon Hall (443-608-9793) to 443-814-6601- "2 eddystone place"

1440 hours- Incoming text message from 443-814-6601 to Antwon Hall (443-608-9793)- "5 mins"

Detective Trageser recognized through his training, knowledge, and experience that this conversation is indicative of Antwon Hall directing a prospective customer to 2 Eddystone Place 21221. It should be noted that this message conversation occurred during the time frame that Detective Coleman was conducting surveillance at 2 Eddystone Place 21221.

Based upon text message data, and Detective Coleman's surveillance, Detective Trageser knows that Antwon Hall was distributing controlled dangerous substances on 06/20/2018.

Text messages show that from 06/17/2018 through 06/19/2018, Antwon Hall did not have any controlled dangerous substances available for sale. At approximately 2130 hours on 06/19/2018, a meeting occurred between Antwon Hall and Gary Horton (**443-943-5127**). On 06/20/2018, Antwon Hall was observed making narcotics transactions. These observations were corroborated by text messages. This timeline of events corroborates that Gary Horton is utilizing phone number **443-943-5127**, to facilitate the trafficking of controlled dangerous substances.

On Tuesday July 17, 2018, Detective Trageser prepared an order for a dialed number recorder for **443-943-5127**. Detective Trageser presented the DNR order to the honorable Judge Robinson of the Circuit Court for Baltimore County. Judge Robinson authorized the dialed number recorder.

On July 24, 2018, Detectives Ward, Johnson, and Coleman were conducting surveillance of Gary Horton. The detectives had followed Horton to the parking garage of the Horseshoe Casino located in Baltimore City. At approximately 1806 hours, Detective Ward observed a black in color Chevrolet Malibu bearing Florida registration CTQQ63 arrive in the garage and park next to Horton's Porsche. A black male who was later identified as Jermaine Mikell M/B 06/23/1973 exited the driver seat of the Malibu and was in possession of a black shopping bag. Mikell entered the front seat of Horton's Porsche. Mikell was in the Porsche for approximately one minute then exited at which time he was in possession of a black backpack. Mikell then returned to the driver seat of the Malibu. Detective Ward noted that the shopping bag Mikell had in his possession when he exited the Mailbu was different than the backpack he had in his possession when he exited the Porsche. Detective Ward believed that Mikell exchanged the plastic bag for the backpack when he met with Horton inside of the Porsche.

Detective Ward recognized through his training, knowledge, and experience that the meeting between Mikell and Horton was consistent with a narcotics transactions.

Detective Trageser knows that Gary Horton is involved in the trafficking and distribution of controlled dangerous substances. Detective Trageser also knows that Horton is utilizing phone number **443-943-5127** to facilitate the sale of controlled dangerous substances.

Obtaining real time GPS locations for the phone being utilized by Gary Horton (**443-943-5127**)

will assist Detective Trageser and his fellow Detectives from the Baltimore County Police Department to conduct surveillance of Gary Horton. The real time GPS locations will assist Detective Trageser in identifying co-conspirators of Gary Horton's and locate possible "stash" locations.

WHEREFORE, it is respectfully requested that the Court grant an Order:

1. Authorizing the detectives of the Baltimore County Police Department to obtain location information, meaning Real-time or present location information concerning the geographic location of the electronic device;
2. Authorizing the disclosure of Real-time or present geographic location information as described above;
3. Directing T-Mobile, and any other necessary service provider to furnish the requested location information and telecommunication records;
4. Sealing this application, affidavit and the Court's Order and delaying notification to the subscriber, customer, user or owner for a period of thirty (30) days after the expiration of the Order;
5. Directing T-Mobile, and any other necessary service provider to refrain from notifying the user, owner, or any other person of the disclosure of location information for as long as the notice be delayed; and,
6. Any and all further relief as necessary.

I affirm, under the penalties of perjury, and upon personal knowledge, that the contents are true and correct to the best of my knowledge, information and belief.

Matthew Trageser

Digitally signed by Matthew Trageser
Date: 2018.08.16 10:09:02 -04'00'

Detective's Signature

Date and Time

**IN THE MATTER OF AN APPLICATION FOR AN * IN THE
ORDER AUTHORIZING OBTAINING AND * CIRCUIT COURT
DISCLOSURE OF REAL TIME OR PRESENT * FOR
LOCATION INFORMATION WITHOUT * BALTIMORE COUNTY
GEOGRAPHIC LIMITATIONS TO INCLUDE * STATE OF MARYLAND
DISCLOSURE OF TELECOMMUNICATION *
RECORDS FOR THE ELECTRONIC DEVICE *
WITH THE NUMBER 443-943-5127 ***

* * * * *

ORDER

This matter, having come before the Court pursuant to an application under §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code by Detective Trageser of the Baltimore County Police Department, requesting the disclosure of Real-time or present geographic location information, Global Position System Information, and or Precision Location, E911 Location Based Services, including latitude and longitude, as well as production of certain telecommunication records on cellular telephone number 443-943-5127, a cellular telephone registered with T-Mobile, or any other Telecommunication service provider of said target number, which is reasonably believed to be owned by an unknown individual. The Court finds that a felony or misdemeanor has been, is being, or will be committed by the subscriber, customer, user or owner of the electronic device or by the individual about whom location information is being sought and the applicant has certified and there is probable cause to believe that the information sought by such disclosure is evidence of, or will lead to evidence of, the misdemeanor or felony being investigated, or will lead to the apprehension of an individual for whom an arrest warrant has been previously issued.

IT IS ORDERED pursuant to §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code, and relating to specific and articulable facts according to Title 18 USC §

2703(d) that T-Mobile, or any other Telecommunication service provider will, forthwith, furnish detectives of the Baltimore County Police Department with the Real-time or present geographic location information, Global Position System Information, and or Precision Location, E911 Location Based Services, including latitude and longitude of above target number for a time period of thirty (30) days. Additional disclosure of Real-time or present geographic location information, Global Position System Information, and or Precision Location, E911 Location Based Services, including latitude and longitude may extend beyond thirty (30) days on a finding of continuing probable cause. It is further;

ORDERED that T-Mobile or any other Telecommunication service provider of said target number, furnish the Agency when requested the following transactional records for a time period of thirty (30) days prior to the issuance of the Order, and thirty (30) days after the issuance of the Order

1. Any and all identifying information for telephone hardware including, but not limited to: IMEI, ESN, MEID, authorized account holders, subscriber information or information that identified the account, including the MIN, MSID, IMSI, and all services associated with the account, and any other subsequent IMEI, ESN, MEID, MSID, MIN, IMSI, ICCID or SIM assigned to this subscriber, or any newly assigned dialed number and updated account information
2. Call Detail Records with Cell Site Information to include Incoming Outgoing numbers dialed to and from mobile handset, including forwarding numbers and call durations, RTT with raw data, Reveal, PCMD (Per Call Measurement Data), NELOS (Network Location Services), Mobile Locator, or True Call Data and further;

ORDERED that T-Mobile and any other necessary service provider furnish information, facilities and technical assistance necessary to unobtrusively accomplish the disclosure of real-time or present location information, be compensated by the Agency for reasonable expenses incurred in providing the facilities and technical assistance, and it is further;

ORDERED that Detective Trageser and members of the Baltimore County Police Department obtain location information, meaning Real-time or present location information concerning the geographic location of the electronic device and it is further;

ORDERED, that to facilitate execution of this order, law enforcement may use investigative devices such as a cell site simulator capable of broadcasting signals that will be received by the Target Cellular Device 443-943-5127 or receiving signals from nearby cellular devices, including the Target Cellular Device 443-943-5127. Such a device may function in some respects like a cellular tower, except that it will not be connected to the cellular network and cannot be used by a cell phone to communicate with others. The device may send a signal to the Target Cellular Device 443-943-5127 and thereby prompt it to send signals that include the unique identifier of the device. Law enforcement may monitor the signals broadcast by the Target Cellular Device 443-943-5127 and use that information to determine the Target Cellular Device 443-943-5127's location, even if it is located inside a house, apartment, or other building; and it is further

ORDERED, that the investigative devices such as a cell site simulator may interrupt cellular service of phones or other cellular devices within its immediate vicinity. Any service disruption to non-target devices will be brief and temporary, and all operations will attempt to limit the interference with such devices. In order to connect with the Target Cellular Device 443-943-5127, the device may briefly exchange signals with all phones or other cellular devices in its vicinity. These signals may include cell phone identifiers. The device will not complete a connection with cellular devices determined not to be the Target Cellular Device 443-943-5127, and law enforcement will limit collection of information from devices other than the Target Cellular Device 443-943-5127. To the extent that any information from a cellular device other than the Target Cellular Device 443-943-5127 is collected by the law enforcement devices, law enforcement will delete that information, and law enforcement will make no investigative use of it absent further order of the court, other than distinguishing the Target Cellular Device 443-943-5127 from all other cellular devices; and it is further

ORDERED that Detective DetectiveTrageser and members of the Baltimore County Police Department obtain the location information without giving notice to the subscriber, customer, user, owner or individual about whom location information is being sought for the duration of this Order and that notice be further delayed for a period of thirty (30) days after the expiration of the Order or until such time as the Court directs otherwise and it is further;

ORDERED that pursuant to §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code, based on a finding of good cause, this application, affidavit and Order be

sealed for the duration of this Order and for a period of thirty (30) days upon its expiration or until such time as the Court directs otherwise and it is further;

ORDERED that T-Mobile, and any other necessary service provider, and its agents and employees be ordered to refrain from notifying any person (including the subscriber, customer, user, owner or individual about whom location information is being sought) of the disclosure of location information or records, and/or of the existence of this Order under §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code and 18 USC § 2705 for the duration of this Order and for a period of thirty (30) days upon its expiration or as long as Notice under §1-203.1 of the Criminal Procedure Article of the Maryland Annotated Code subsection (d) is delayed. The Court may order that notification be further delayed if the Court finds good cause based on evidence provided by the law enforcement officer, and further;

ORDERED that in order to enable detectives of the Agency to utilize the information described above and to facilitate the use of such information, T-Mobile, or any other Telecommunication provider shall comply with the following:

1. That T-Mobile, any other Telecommunication provider and or their resellers not terminate or restrict service to any cellular/wireless telephone covered by this Order, for the durations of this Order or unless notified in writing to terminate the Real-time or present geographic location information, Global Position System Information, and or Precision Location, E911 Location Based Services;
2. That all Call Detail Records with or without cell site information be provided in the electronic formats Microsoft Excel, Word or .txt file or as specified by detectives of the Agency.

Ruth Ann Jakubowski _____
Ruth Ann Jakubowski

Judge, Circuit Court
For Baltimore County

Aug 16, 2018 11:36:43 AM